

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA)	
)	CRIMINAL NO.
v.)	
)	Count 1: 18 U.S.C. 371
SYLVIA ANITA RYAN-WEBSTER,)	(Conspiracy)
)	
)	Counts 2-5: 18 U.S.C.
)	1546 (a)
Defendant.)	(Immigration Fraud)
)	

FEBRUARY 2002 TERM - AT ALEXANDRIA

INDICTMENT

THE GRAND JURY CHARGES THAT:

GENERAL ALLEGATIONS

At all times material to this indictment:

1. The Department of Labor ("DOL") was an agency of the United States, responsible for the processing and review of alien labor certifications.

2. The DOL office was located in Room 13300, Gateway Building, 3535 Market Street, Philadelphia, Pennsylvania 19104.

3. The Immigration and Naturalization Service ("INS") was a branch of the United States Department of Justice, an agency of the United States, responsible for the processing and review of employment-based visa petitions filed on behalf of aliens seeking to immigrate to the United States.

4. The INS Washington District Office was located at 4420 North Fairfax Drive, Arlington, Virginia, within the Eastern District of Virginia.

5. Defendant SYLVIA ANITA RYAN-WEBSTER ("RYAN-WEBSTER") owned and operated an immigration law practice named RYAN & WEBSTER, located at 3108 16th Street, N.W., Washington, District of Columbia ("D.C.") and later at 1409 Kennedy Street, N.W., Washington, D.C., in which in exchange for a fee paid by alien clients, RYAN applied for and obtained immigration benefits from the U.S. INS and the U.S. DOL.

6. The INS granted alien registration receipt cards (green cards) and employment authorization documents to aliens who applied to immigrate to the United States under employment-based visa petitions. Under employment-based visa petitions, a prospective employer applied to the INS for a green card for a prospective alien worker. The prospective employer must have shown in its application that no suitable U.S. worker was available or would take the job, the prospective alien employee was qualified for the job, and that the prospective employer was financially sound and could and would employ and pay the prospective employee.

7. The employment-based visa petition process worked as follows:

a. The prospective employer filed with the U.S. DOL or a state employment commission an application for a certification

that there is no U.S. worker available or willing to be hired for a described job (form ETA-750). This application typically included a description of the prospective employer, the job, and proof that the prospective employer advertised for a U.S. worker to fill the job but that none was available or willing to take the job;

b. The U.S. DOL or a state employment commission certifies that there was no U.S. worker available for the described job and therefore that U.S. workers would not be adversely affected if an alien was permitted to immigrate to fill the job;

c. The prospective employer applied to the INS for an immigrant visa (form I-140) to be granted to the prospective alien employee to immigrate to take the certified job. This application was made to the INS Regional Service Center, which for the Eastern District of Virginia was the INS Eastern Service Center in St. Albans, Vermont. This application included the DOL or state employment commission labor certification, proof that the prospective employer was financially sound and willing to hire and pay the prospective employee, and proof that the alien was qualified for the job;

d. The INS adjudicated the application for an immigrant visa. If approved, the INS mailed a notice that the alien can adjust status, i.e., receive a green card;

e. The alien filed an application to adjust status to permanent resident alien, i.e., receive a green card. The

application was made to the INS district office in which the alien would live and work. In the Washington and northern Virginia area, the district office was located in Arlington, Virginia;

f. The INS approved the adjustment of the alien's status to that of the permanent resident alien;

g. Once an alien adjusted to permanent resident status, his immediate family was entitled to immigration benefits from his status.

8. Defendant RYAN-WEBSTER, in exchange for a fee from alien clients, submitted, in the name of RYAN & WEBSTER, forged and fraudulent employment-based visa petitions and alien labor certifications to the INS and the DOL to obtain for her clients green cards and other immigration benefits.

COUNT 1

(Conspiracy)

THE GRAND JURY FURTHER STATES THAT:

From on or about January 1, 1995, through in or about September 1999, in the Eastern District of Virginia and elsewhere, defendant SYLVIA ANITA RYAN-WEBSTER knowingly, willfully, and unlawfully combined, confederated, and agreed with others known and unknown to this grand jury:

1. To defraud the United States of and concerning its governmental functions and rights by impairing, obstructing and impeding the lawful function of the INS and DOL by attempting to obtain and by obtaining, by false statements, forgery and fraud, immigration benefits for aliens; and

2. To commit an offense against the United States of America, namely:

Knowingly and unlawfully forge, utter, use and possess alien labor certifications, visa petitions, and other immigration documents prescribed by statute and regulation as evidence of authorized stay and employment in the United States, knowing said documents to have been forged and falsely made, in violation of Title 18, United States Code, Section 1546(a);

MANNER AND MEANS OF THE CONSPIRACY

The purpose of the conspiracy was to obtain money by helping aliens obtain immigration benefits to which they were not entitled. The manner and means by which the conspirators conducted the conspiracy included the following:

1. It was part of the conspiracy that aliens would pay defendant RYAN-WEBSTER to obtain immigration benefits, which benefits defendant RYAN-WEBSTER would attempt to procure through fraud and forgery. These aliens, not eligible to receive a green card or other immigration benefits, would pay from between \$3,000 to \$20,000 to obtain a green card.

2. It was further part of the conspiracy that defendant RYAN would cause to be filed forged and fraudulent applications for immigration benefits with the U.S. Department of Labor, the Virginia Employment Commission, the Government of the District of Columbia, the Maryland Employment Service, and the Immigration and Naturalization Service. Defendant RYAN-WEBSTER would cause to be filed fraudulent employment-based labor certifications and visa petitions in which she would falsely represent that her alien clients were to be hired as employees of specified businesses, when, as she knew, they were not.

3. It was further part of the conspiracy that defendant RYAN-WEBSTER would forge or direct others to forge the signatures of the owners of specified prospective employing businesses in applications to the DOL and INS and then to utter or direct

others to utter those forged documents.

4. It was further part of the conspiracy that defendant RYAN-WEBSTER would forge or direct others to forge the signatures of her alien clients in applications to the DOL and INS.

5. It was further part of the conspiracy that defendant RYAN-WEBSTER repeatedly filed with the INS and DOL, INS G-28 Forms, in which she knowingly misrepresented that she was an attorney in good standing with the bar of the Supreme Court of the State of New York, when, as she knew, she was not.

OVERT ACTS

In furtherance of the conspiracy and to effect the objects thereof, the defendant RYAN-WEBSTER and an unindicted co-conspirator performed the following overt acts in the Eastern District of Virginia and elsewhere:

1. In or about November, 1997, defendant RYAN-WEBSTER advised Rachel Ratcliffe, co-owner of C.A.R. Collision Center in Fairfax County, Virginia, that defendant RYAN-WEBSTER could be of assistance in obtaining an employment based visa for one of her company's body repair technicians, Raj Singh. Rachel Ratcliffe advised defendant RYAN-WEBSTER that C.A.R. Collision required only one body repair technician and requested no other assistance from defendant RYAN-WEBSTER.

2. In or about November, 1997, defendant RYAN-WEBSTER agreed, for a fee, to represent Raj Singh in his attempts to obtain an alien employment-based visa.

3. Between in or about November, 1997 and in or about March, 1999, defendant RYAN-WEBSTER and an unindicted co-conspirator prepared and caused to be prepared, in the District of Columbia, and mailed and caused to be mailed from the District of Columbia to the Virginia Employment Commission, located in Fairfax County, in the Eastern District of Virginia, nineteen (19) Alien Employment Certification Applications containing the forged signatures of either Rachel Ratcliffe or James Ratcliffe, co-owners of C.A.R. Collision.

4. On or about April 2, 1998, defendant RYAN-WEBSTER and an unindicted co-conspirator prepared and caused to be prepared, and mailed and caused to be mailed, to the Department of Employment Services of the District of Columbia, an Alien Employment Certification Application, purportedly on behalf of Annette Campbell and Lockhart Insurance Services, which application contained the forged signatures of the owner of Lockhart Insurance Services, Cecil B.J. Lockhart.

5. On or about October 30, 1998 defendant RYAN-WEBSTER and an unindicted co-conspirator prepared and caused to be prepared, and mailed and caused to be mailed from Fairfax, Virginia, within the Eastern District of Virginia, to the INS Eastern Service Center located in St. Albans, Vermont, a Petition for Prospective Immigrant Employee, purportedly filed on behalf of Mitra Rezvani and Lockhart Insurance Services, which application contained the forged signatures of the owner of

Lockhart Insurance Services, Cecil B.J. Lockhart.

6. On or about October 30, 1998, defendant RYAN-WEBSTER prepared and caused to be prepared, and mailed and caused to be mailed from Fairfax, Virginia, within the Eastern District of Virginia, to the INS Eastern Service Center located in St. Albans, Vermont, a Notice of Appearance as Attorney or Representative (INS Form G-28) in the matter of Mitra Rezvani, which Notice falsely represented that defendant RYAN-WEBSTER was a member, in good standing, of the Bar of New York State and which Notice contained the forged signature of the owner of Lockhart Insurance Services, Cecil B.J. Lockhart.

7. On or about August 15, 1998 defendant RYAN-WEBSTER prepared and caused to be prepared, and mailed from the District of Columbia to the INS Service Center in St. Alban's, Vermont a fraudulent Petition for Prospective Immigrant Employee, based upon a fraudulent labor certification, which Petition contained the forged signature of Cheung Kan Chu, the former owner of the Hsian Foong Restaurant.

8. On or about October 29, 1998, defendant RYAN-WEBSTER prepared and caused to be prepared, and mailed and caused to be mailed from Fairfax, Virginia, within the Eastern District of Virginia, to the INS Service Center in St. Albans, Vermont, two Notices of Entry of Appearance as Attorney or Representative on behalf of Michael Tsige and the Hsian Foong Restaurant which notices falsely represented that defendant RYAN-WEBSTER was a

member, in good standing, of the Bar of New York State and which Notices included a forged signature.

9. On or about February 20, 1997, defendant RYAN-WEBSTER prepared and caused to be prepared, and mailed and caused to be mailed from Fairfax, Virginia, within the Eastern District of Virginia, to the Department of Employment Services, Government of the District of Columbia, documents in support of an Alien Employment Certification Application requesting that Little Flower Montessori School of Washington, D.C., be permitted to hire Monica Peters as a pre-school teacher, which documents included the forged signature of Eliana Janet Noguchi, Director of the Little Flower Montessori School.

10. On or about May 8, 1998, defendant RYAN-WEBSTER prepared and caused to be prepared, and mailed and caused to be mailed to the INS Service Center in St. Albans, Vermont, a Petition for Prospective Immigrant Employee, based on a fraudulent labor certification, which petition included the forged signature of Eliana Janet Noguchi.

11. On or about February 3, 1999, defendant RYAN-WEBSTER prepared and caused to be prepared, and mailed and caused to be mailed, from Fairfax, Virginia, within the Eastern District of Virginia, to the INS Eastern Service Center in St. Albans, Vermont an Alien Employment Certification Application and a Petition for Prospective Immigrant Employee requesting Little Flower Montessori School be permitted to hire Manik Kadir as a

pre-school teacher, which application and petition contained the forged signatures of Eliana Janet Noguchi, Director of the Little Flower Montessori School.

12. On or about June 5, 1997, defendant RYAN-WEBSTER prepared and caused to be prepared, and mailed and caused to be mailed to the INS Eastern Service Center in St. Albans, Vermont, an Petition for Prospective Immigrant Employee, purportedly on behalf of Behnam Kimuarsi and the Barbara Chambers Children Center, which petition contained the forged signature of Francesca Anibel Ventura, the Program Director of the Barbara Chambers Children Center.

13. On or about March 2, 1998, Defendant RYAN-WEBSTER prepared and caused to be prepared, and mailed and caused to be mailed to the Maryland Employment Service, an Alien Employment Certification Application requesting that Gifted Child Resources, Inc. be permitted to hire Benham Kiumarsi as a preschool teacher, which application contained the forged signature of Dr. Sebastian Ziraba, the Director of Gifted Child Resources, Inc.

14. On or about December 12, 1998, Defendant RYAN-WEBSTER prepared and caused to be prepared, and mailed and caused to be mailed to the Virginia Employment Commission an Alien Employment Certification Application requesting that C.A.R. Collision Center be permitted to hire Benham Kiumarsi as a car dismantler, which application contained the forged signature of James Ratcliffe, co-owner of C.A.R. Collision Center.

(All in violation of Title 18, United States Code, Section 371.)

COUNT 2

(Immigration Fraud)

Between in or about November, 1997 and in or about March 1999, the defendant SYLVIA ANITA RYAN-WEBSTER, in Fairfax County, within the Eastern District of Virginia, did knowingly utter, use, and possess documents prescribed by statute or regulation for entry into, or as evidence of authorized stay or employment in the United States, that is, Alien Employment Certification Applications, also known as Form ETA 750s, purportedly on behalf of C.A.R. Collision and James Ratcliffe and Rachel Ratcliffe, which the defendant knew to be forged and falsely made, (In violation of Title 18, United States Code, Section 1546 (a)).

Count 3

(Immigration Fraud)

On or about October 30, 1998, the defendant, SYLVIA ANITA RYAN-WEBSTER in Fairfax, Virginia, within the Eastern District of Virginia, did knowingly utter, use, and possess a document prescribed by statute or regulation for entry into or as evidence of authorized stay or employment in the United States, that is, an employment based visa petition, purportedly on behalf of Mitra Rezvani and Lockhart Insurance Services, which the defendant knew to be forged and falsely made,
(In violation of Title 18, United States Code, Section 1546 (a)).

Count 4

(Immigration Fraud)

On or about October 29, 1998, in Fairfax, Virginia, within the Eastern District of Virginia, the defendant SYLVIA ANITA RYAN-WEBSTER did knowingly present a document required by the immigration laws or regulations prescribed thereunder, that is, a Notice of Appearance as Attorney or Representative, purportedly on behalf of the Hsian Foong Restaurant, which failed to contain any reasonable basis in law or in fact, in that the defendant did not represent Hsian Foong Restaurant and Cheung Kan Chu and, in that the defendant was not a member, in good standing, of the bar of the highest court of the State of New York,
(In violation of Title 18, United States Code, Section 1546 (a)).

Count 5

(Immigration Fraud)

On or about February 3, 1999, in Fairfax, Virginia, within the Eastern District of Virginia, the defendant, SYLVIA ANITA RYAN-WEBSTER, did knowingly utter, use and possess a document prescribed by statute or regulation for entry into or as evidence of authorized stay or employment in the United States, that is, an Alien Employment Certification Application and an employment based visa application, purportedly on behalf of Manik Kadir and the Little Flower Montessori School, which the defendant knew to be forged and falsely made,
(In violation of Title 18, United States Code, Section 1546(a)).

A TRUE BILL:

FOREPERSON
Alexandria, Virginia
Date:

Paul J. McNulty
UNITED STATES ATTORNEY

Kevin V. Di Gregory
Assistant United States Attorney